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Kathy Raskind

(Signature of person mailing paper or fee)

*Patricia Lewis*  
#9/req for  
Extension  
of time  
+ fee

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

James R. Muldoon

Serial No. 09/612,156

Filed: July 7, 2000

For: AUTOMATED COUPON  
DISTRIBUTION SYSTEM

Group Art Unit: 3622

Examiner: Arthur D. Duran

Docket No. MULD-36045

*Notice  
of appeal  
+ fee  
2-12-04*

NOTICE OF APPEAL FROM EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES (37 CFR §1.191)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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FEB 10 2004

GROUP 3600

Dear Sir:

1. Applicant, James Muldoon, a small entity, hereby appeals to the Board from the Decision of the Examiner in a Final Office Action dated October 3, 2003 and an Advisory Action mailed December 17, 2003, finally rejecting claims 1-9, 11-26, 28-41, 43-57 and 59-66.
2. Pursuant to 37 CFR §1.17(b), the fee for filing the Notice of Appeal is \$165.00.
3. Applicant petitions for a One-month Extension of Time under 37 CFR §1.136.

02/09/2004 AWDNDAF1 00000106 09612156

01 FC:2401  
02 FC:2251

165.00 OP  
55.00 OP

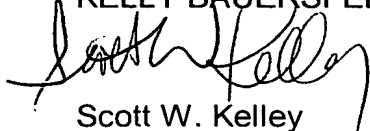
*OK*

MULDOON-36045  
NOTICE OF APPEAL

4. Submitted herewith is a check for \$220.00 for the Notice of Appeal fee and One-month Extension Fee.

Respectfully submitted,

KELLY BAUERSFELD LOWRY & KELLEY, LLP



Scott W. Kelley  
Registration No. 30,762

SWK/kr  
6320 Canoga Avenue, Suite 1650  
Woodland Hills, California 91367  
(818) 347-7900

FEB 03 2004

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PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$) 220.00

**Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/612,156       |
| Filing Date          | July 7, 2000     |
| First Named Inventor | James R. Muldoon |
| Examiner Name        | Arthur D. Duran  |
| Art Unit             | 3622             |
| Attorney Docket No.  | MULDOON-36045    |

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity        |          | Small Entity |          | Fee Description        | Fee Paid    |
|---------------------|----------|--------------|----------|------------------------|-------------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |                        |             |
| 1001                | 770      | 2001         | 385      | Utility filing fee     |             |
| 1002                | 340      | 2002         | 170      | Design filing fee      |             |
| 1003                | 530      | 2003         | 265      | Plant filing fee       |             |
| 1004                | 770      | 2004         | 385      | Reissue filing fee     |             |
| 1005                | 160      | 2005         | 80       | Provisional filing fee |             |
| <b>SUBTOTAL (1)</b> |          |              |          |                        | <b>(\$)</b> |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid    |
|---------------------|----------|--------------|----------|--|-------------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |             |
| 1202                | 18       | 2202         | 9        | Claims in excess of 20                                     |             |
| 1201                | 86       | 2201         | 43       | Independent claims in excess of 3                          |             |
| 1203                | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |             |
| 1204                | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |             |
| 1205                | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |             |
| <b>SUBTOTAL (2)</b> |          |              |          |  | <b>(\$)</b> |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     | 55.00    |
| 1252     | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
| 1253     | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
| 1254     | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
| 1255     | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     | 165.00   |
| 1401     | 330      | 2401     | 165      | Notice of Appeal   |          |
| 1402     | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
| 1403     | 290      | 2403     | 145      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,330    | 2453     | 665      | Petition to revive - unintentional   |          |
| 1501     | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
| 1502     | 480      | 2502     | 240      | Design issue fee   |          |
| 1503     | 640      | 2503     | 320      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810     | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801     | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 220.00**SUBMITTED BY**

|                   |                        |                                   |            |           |              |
|-------------------|------------------------|-----------------------------------|------------|-----------|--------------|
| Name (Print/Type) | Scott W. Kelley        | Registration No. (Attorney/Agent) | 30,762     | Telephone | 818-347-7900 |
| Signature         | <i>Scott W. Kelley</i> | Date                              | 02/03/2004 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEB 03 2004

FEB 05 2004

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|                        |                  |
|------------------------|------------------|
| Application Number     | 09/612,156       |
| Filing Date            | July 7, 2000     |
| First Named Inventor   | James R. Muldoon |
| Art Unit               | 3622             |
| Examiner Name          | Arthur D. Duran  |
| Attorney Docket Number | MULDOON-36045    |

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
|--|--|---|

Remarks

**RECEIVED**  
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 GROUP 3600

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |   |
|-------------------------|---|
| Firm or Individual name | Scott W. Kelley<br>Kelly Bapersfeld Lowry & Kelley, LLP |
| Signature               | <i>Scott W. Kelley</i>                                  |
| Date                    | 02/03/2004  |

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Kathy Raskind

*Kathy Raskind*  
 (signature of person mailing paper or fee)

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